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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA for the Use and
Benefit of WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS, and WEBCOR
CONSTRUCTION, INC. dba WEBCOR
BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture, DICK
CORPORATION, THE MORGANTI GROUP,
AMERICAN CASUALTY COMPANY OF
READING, PA, NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA,
and DOES 1 through 10, inclusive,

Defendants.

AND RELATED COUNTER-CLAIMS AND
THIRD PARTY CLAIMS.

Case No.: 3:07-CV-02564-CRB

**STIPULATION AND [PROPOSED]
ORDER FURTHER EXTENDING
TIME TO FILE ANSWER**

Before: Hon. Charles R. Breyer

Pursuant to Local Civil Rule 6-2, Defendants, Counter-Claimants, and Third Party
Complainants DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP,
AMERICAN CASUALTY COMPANY OF READING, PA, and NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA (together, “D/M”) and Plaintiff WEBCOR
CONSTRUCTION, INC. dba WEBCOR BUILDERS (“Webcor”) hereby stipulate and agree that

1 the deadline for D/M to file an answer to Webcor's complaint, as well as the time for D/M to file a
 2 counterclaim, if any, be further extended for two months, to January 30, 2009. The parties and
 3 their representatives continue to meet and discuss various issues, including how Webcor's claims
 4 will be passed through to the Project owner. There is also a status conference set for January 12,
 5 2009 in the appeals arising from the Project that are before the Civilian Board of Contract
 6 Appeals. In the meantime, the parties prefer to avoid spending time on litigation activities and
 7 filings in the case, and therefore stipulate to this further extension of time.

8 The time for D/M to file an answer to Webcor's complaint and the time for D/M to file a
 9 counterclaim has been extended twice before. Additionally, there have been other time extensions
 10 in this case, including time extensions in connection with case management conferences.

11 A declaration in support of this stipulated request is attached.

12
 13 Dated: November 20, 2008

THELEN LLP
 101 Second Street, Suite 1800
 San Francisco, California 94105
 Tel. 415.371.1200 // Fax 415.371.1211

/s/ John W. Ralls

16 By: _____

John W. Ralls
 Attorneys for Defendants, Counter-Claimants
 and Third Party Complainants
 DICK/MORGANTI, DICK CORPORATION,
 THE MORGANTI GROUP, AMERICAN
 CASUALTY COMPANY OF READING, PA,
 and NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH, PA

21 Dated: November 20, 2008

BOWLES & VERNA LLP
 2121 N. California Boulevard, Suite 875
 Walnut Creek, California 94596
 Tel. 925.935.3300 // Fax 925.935.0371

/s/ Kenneth G. Jones

24 By: _____

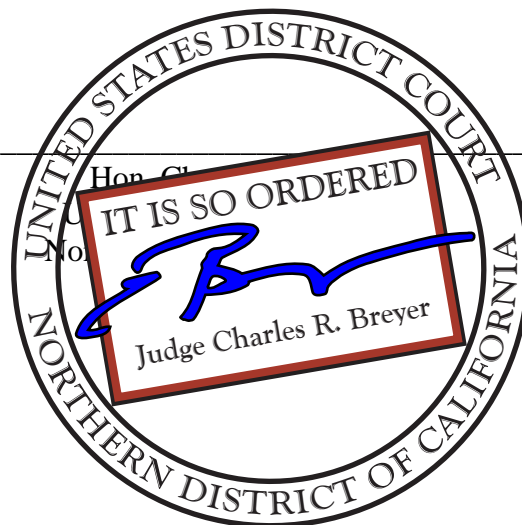
Kenneth G. Jones
 Attorneys for Plaintiff
 WEBCOR CONSTRUCTION, INC. dba
 WEBCOR BUILDERS

ORDER

The deadline for Defendants, Counter-Claimants, and Third Party Complainants DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP, AMERICAN CASUALTY COMPANY OF READING, PA, and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA (together, "D/M") file an answer to the complaint of Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS ("Webcor"), as well as the time for D/M to file a counterclaim, if any, is further extended to January 30, 2009.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 24, 2008



DECLARATION OF JOHN W. RALLS

I, John W. Ralls, declare:

1. I am an attorney-at-law, a partner with Thelen LLP and counsel of record for Defendants, Counter-Claimants, and Third Party Complainants DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP, AMERICAN CASUALTY COMPANY OF READING, PA, and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA (together, "D/M").

2 Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS ("Webcor"), on the one hand, and D/M, on the other, have agreed to continue to discuss various issues, including how Webcor's claims will be passed through and presented to the Project owner. There is also a status conference set for January 12, 2009 in the appeals arising from the Project that are before the Civilian Board of Contract Appeals. In the meantime, the parties prefer to avoid spending time on litigation activities and filings in this case. Therefore, the parties have stipulated and agreed to extend the deadline for D/M to file an answer to Webcor's complaint, as well as the time for D/M to file a counterclaim, if any, to January 30, 2009.

3. The parties have previously stipulated, and the Court has previously allowed, an extension for the response to the complaint and counterclaim. Additionally, there have been other time extensions in this case, including time extensions in connection with case management conferences.

I declare under penalty of perjury under the law of the United States that the foregoing is true and correct.

Executed on November 20, 2008, in San Francisco, California.

John W. Ralls